United Nations CEDAW/C/ECU/CO/8-9

Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

Concluding observations on the combined eighth and ninth periodic reports of Ecuador*

1. The Committee considered the combined eighth and ninth periodic reports of Ecuador (CEDAW/C/ECU/8-9) at its 1281st and 1282nd meetings, on 19 February 2015 (see CEDAW/C/SR.1281 and 1282). The Committee's list of issues and questions is contained in CEDAW/C/ECU/Q/8-9 and the responses of Ecuador are contained in CEDAW/C/ECU/Q/8-9/Add.1.

A. Introduction

2. The Committee appreciates that the State party submitted its combined eighth and ninth periodic reports. It also appreciates the State party's written replies to the list of issues and questions raised by the pre-sessional working group. It welcomes the constructive dialogue that took place between the delegation and the Committee and the further clarifications provided in response to the questions posed orally by the Committee during the dialogue.

3. The Committee commends the State party for its high-level delegation, which was headed by the Coordinating Minister for Social Development, Andrea Cecilia Vaca Jones, and comprised representatives of the Ministry of Health, the Ministry of Foreign Affairs, the Ministry of Justice, the National Assembly and the Superior Council of the Judiciary, in addition to the President of the National Council for Gender Equality and the Permanent Representative of Ecuador to the United Nations Office and other international organizations in Geneva.

B. Positive aspects

4. The Committee welcomes the legislative measures adopted by the State party to implement the Convention, in particular the adoption of the following:

(a) Comprehensive Organic Criminal Code (2014), which criminalizes femicide as well as discrimination and hate crimes committed because of the gender of the victim;

* Adopted by the Committee at its sixtieth session (16 February-6 March 2015).

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(b) Organization Act on National Councils for Equality (2014), which creates the National Council for Gender Equality;

(c) Organization Act on an Economy of Solidarity with the People (2011), which provides for measures to reduce gender inequality in the economic sphere;

(d) Public Service Organization Act (2010), which ensures parity between women and men in the nomination and appointment of public servants;

(e) Organization Act on Elections and Political Organizations, known as the Code of Democracy (2009), which requires gender parity and alternate inclusion of women and men candidates on electoral lists.

5. The Committee also welcomes the adoption by the State party of measures to develop a policy framework that promotes equality of women and men, such as the following:

(a) National Plan for Good Living, 2013-2017;

(b) National Agenda on Women and Gender Equality, 2013-2017;

(c) National Agenda on Equality for Human Mobility, 2013-2017;

(d) National Intersectoral Family Planning and Prevention of Teenage Pregnancy Strategy, 2012;

(e) Comprehensive plan to eradicate sexual offences in the education system, 2011.

6. The Committee welcomes the fact that, since its consideration of the previous report (CEDAW/C/ECU/7) in 2008, the State party has ratified the following international instruments:

(a) Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, in 2010;

(b) Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, in 2010;

(c) International Convention for the Protection of All Persons from Enforced Disappearance, in 2009;

(d) Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto, in 2008;

(e) Workers with Family Responsibilities Convention, 1981 (No. 156), of the International Labour Organization, in 2013;

(f) Domestic Workers Convention, 2011 (No. 189), of the International Labour Organization, in 2013.

C. Principal areas of concern and recommendations

National Assembly

7. The Committee stresses the crucial role of the legislative power in ensuring the full implementation of the Convention (see the statement by the Committee on its relationship with parliamentarians, adopted at the forty-fifth

session, in 2010). It invites the National Assembly, in line with its mandate, to take the necessary steps regarding the implementation of the present concluding observations between now and the next reporting period under the Convention.

Visibility of the Convention, the Optional Protocol and the Committee's concluding observations

8. The Committee notes with interest that, under article 417 of the Constitution of Ecuador, the Convention and other international human rights treaties are directly applicable before the courts. The Committee observes with concern, however, the lack of visibility and awareness of the Convention among public authorities. It also notes that national courts have directly applied the provisions of the Convention in only a few cases relating to women's rights. The Committee is concerned about the absence of a strategy for the implementation of its previous concluding observations (CEDAW/C/ECU/CO/7) and of information on activities to raise awareness about the Convention and the Optional Protocol among society.

9. **The Committee recommends that the State party ensure that the Convention, the Optional Protocol and the Committee's general recommendations, in addition to the views adopted on individual communications, are made an integral part of professional training for judges, prosecutors, lawyers, police officers and civil servants. The Committee also recommends that the State party establish an action plan to implement the present concluding observations, involving the participation of authorities in various branches of the Government and at different levels. It further recommends that the State party carry out activities to publicize the content of the Convention on a permanent basis and invite women's organizations to take part in such awareness-raising activities, emphasizing measures to reach women in rural and remote areas, through cooperation with the media and using accessible technology.**

Legislation on discrimination against women

10. The Committee acknowledges the adoption of the Comprehensive Organic Criminal Code, which states that femicide (art. 146) and discrimination on the basis of sex, gender identity, sexual orientation and other grounds (art. 176) constitute criminal conduct. It also welcomes the State party's comprehensive legislative and policy framework for the elimination of discrimination against women. The Committee is concerned, however, about the following:

(a) Challenges to the effective implementation of such a framework, in particular at the local level and in remote areas, and the slow progress in bringing about the changes in institutions necessary to enforce legislation and public policies;

(b) De facto and intersectional discrimination faced by indigenous, Afro-Ecuadorian and Montubio women, women with disabilities, migrant women, women asylum seekers and refugee women, and the limited information disaggregated by sex, ethnicity and social condition on the impact of legislation and policies on the situation of women.

11. **The Committee recommends that the State party:**

(a) **Accelerate the enforcement of legislation and policies aimed at eliminating discrimination against women in all areas covered by the Convention, including through the adoption of specific time frames, and accord priority to the allocation of human and financial resources in rural and remote areas;**

(b) **In line with article 2 of the Convention and the Committee's general recommendation No. 28 on the core obligations of States parties under that article, adopt specific targets, lines of action and indicators aimed at tackling multiple forms of discrimination against women, and consider the specific needs and cultural contexts of women belonging to disadvantaged groups in an adequate manner;**

(c) **Establish mechanisms to collect information on and assess the status and progress in the realization of the human rights of women belonging to disadvantaged and marginalized groups, in the framework of national and sectoral legislation and policies relating to various provisions of the Convention.**

Access to justice and legal complaint mechanisms

12. The Committee takes note of the information provided by the State party's delegation during the dialogue concerning the implementation of an agreement among branches of the Government to facilitate access to justice in rural areas. Nonetheless, the Committee observes with concern that specialized judicial units to enforce legal provisions relating to violence against women do not cover all areas of the State party. The Committee also notes with concern that various factors limit women's access to justice, in particular a lack of gender-sensitive procedures, the stigmatization of women who bring their cases to court and the limited training of police officers. It notes the barriers faced by indigenous women in gaining access to both the regular and the traditional justice systems and the absence of information on redress and reparations available to them.

13. **The Committee calls upon the State party:**

(a) **To allocate the human, financial and technical resources necessary for the establishment and functioning of specialized judicial units on violence against women in all cantons and, in particular, in rural and remote areas, and adopt guidelines to ensure that the agreement between branches of the Government on the provision of justice in cases of violence against women is implemented promptly;**

(b) **To monitor the implementation of the protocols for conducting prosecutions in cases of violence against women (resolution No. 154-2014 of the Council of the Judiciary), facilitate women's access to justice by raising the awareness of women and men in order to eliminate the stigmatization faced by women who claim their rights, and provide systematic training to judges, prosecutors, police officers and other law enforcement officers on the strict application of legislation prohibiting discrimination and violence against women;**

(c) To adopt measures to harmonize the competencies of the regular and traditional justice systems to deal with complaints from women belonging to ethnic groups, ensuring that women have access to remedies through appropriate provision of interpreters, legal aid, if necessary free of charge, and adequate reparations in accordance with their culture and traditions.

National machinery for the advancement of women

14. The Committee takes note of the State party's efforts to ensure gender mainstreaming in various aspects of national policies and programmes, as well as the approval of the Organization Act on National Councils for Equality of 2014 establishing the National Council for Gender Equality and providing local councils for the protection of rights with a mandate to protect specific groups of the population, including women. Nevertheless, the Committee notes with concern:

(a) That the National Council for Gender Equality lacks a clear mandate to lead and coordinate the design and implementation of gender equality policies within the respective entities at the national and local levels and that the percentage of the official budget allocated for the implementation of gender equality policies is decreasing;

(b) That no institution within the executive branch has been given a specific mandate to oversee and monitor gender mainstreaming;

(c) That local councils for the protection of rights lack a mandate and specific guidelines for promoting equality between women and men and protecting women's rights;

(d) That cooperation between the National Council for Gender Equality and civil society organizations working on women's rights issues in the State party is insufficient and needs to increase.

15. **The Committee recommends that the State party:**

(a) **Strengthen the authority and the rank of the representative of the National Council for Gender Equality, enhance the Council's capacity to influence the design and implementation of public policies on gender equality, strengthen its coordinating role at all levels of the Government, in particular at the ministerial level, and provide it with the human, financial and technical resources necessary to perform its duties;**

(b) **Consider reassigning to a department within the Cabinet specific responsibility for the implementation of a strategy for gender mainstreaming at the national level;**

(c) **Ensure that the National Council for Gender Equality establishes accountability mechanisms to monitor and assess the implementation of policies to promote and protect women's rights and that authorities at the national and local levels mainstream gender equality in their agendas in a coherent manner;**

(d) **Ensure the systematic participation of women's organizations in the processes of the National Council for Gender Equality and other decision-making processes concerning the protection of women's rights within different sectors at the national and local levels.**

Temporary special measures

16. The Committee welcomes the constitutional and legislative provisions adopted by the State party to accelerate equality between women and men in the areas of political and economic participation. It is concerned, however, at the limited implementation of those provisions at the local level. It notes with concern the absence of information on the adoption of temporary special measures aimed at reducing discrimination against indigenous, Afro-Ecuadorian and Montubio women, migrant women and women with disabilities.

17. **The Committee recommends that the State party:**

(a) **Ensure that the public authorities apply temporary special measures at the local level effectively and that they monitor and evaluate the impact and results of those measures in areas where women remain underrepresented;**

(b) **Distinguish in its policies and programmes between general social and economic policies that benefit women and temporary special measures under article 4 (1) of the Convention that are necessary to accelerate the achievement of substantive equality of women and men, as clarified by the Committee in its general recommendation No. 25 on the subject, and implement those measures with specific targets and time frames to accelerate the achievement of substantive gender equality for such disadvantaged groups of women as indigenous, Afro-Ecuadorian and Montubio women, migrant women and women with disabilities in such fields as political participation, education, employment and health.**

Stereotypes and harmful practices

18. The Committee is concerned about the persistence of deep-rooted social and cultural stereotypes in the State party that underpin such forms of discrimination against women as violence and inequality in the areas of political participation, education, economic life and health and undermine women's empowerment in the family and in society. It also notes that campaigns to combat discriminatory stereotypes have focused exclusively on violence against women and lack action aimed at enforcing the principle of equality between women and men in several areas of public and private life. The Committee is further concerned that, the efforts made by the State party notwithstanding, the practice of "de-homosexualization" in clinics originally established for the treatment of drug addiction continues.

19. **The Committee urges the State party:**

(a) **To develop a comprehensive strategy targeting women, men, girls and boys to overcome patriarchal and gender-based stereotypical attitudes about the roles and responsibilities of women and men in the family and in society, with a specific focus on disadvantaged and marginalized groups of women, strengthen awareness-raising campaigns at the community level and include education on women's rights in school curricula;**

(b) **To strengthen the role of the Council on the Regulation and Development of Information and Communication in training people working in the media on gender equality and implement campaigns to combat gender**

stereotypes, allowing for the participation of civil society, in particular women's organizations;

(c) **To ensure the implementation of article 176 of the Comprehensive Organic Criminal Code on discrimination on the basis of gender identity and the legislation that prohibits practices of de-homosexualization, adopt specific measures and establish a mechanism to periodically monitor institutions for the treatment of drug dependency and implement adequate sanctions.**

Violence against women

20. The Committee is deeply concerned about:

(a) The high incidence of violence against women, in particular sexual violence, including rape and sexual harassment, that affects a large proportion of women and girls;

(b) The absence of a strategy for preventing and eliminating all forms of violence against women and the decision to suspend the implementation of the National Plan for the Eradication of Violence against Women in the context of the institutional reform process;

(c) The absence, within the current procedures on violence against women, of expedited, efficient and swift mechanisms for the adoption of restraining orders against perpetrators of violence against women;

(d) Limited access by women who are victims of violence to such remedies and mechanisms of redress as the provision of shelter, psychosocial counselling and rehabilitation, owing to the lack of funding from the public budget;

(e) The absence of information about measures taken by the State party to implement article 77 of the Comprehensive Organic Criminal Code relating to reparation, rehabilitation of women who are victims of violence, compensation and guarantees of non-repetition;

(f) Information on violence against women, including lesbian, bisexual and transgender women, including reports of mistreatment by the police, and the absence of official statistics on complaints and cases brought to the criminal justice system.

21. **The Committee, recalling its general recommendation No. 19 on violence against women, urges the State party:**

(a) **To continue its efforts to improve the systematic collection of data on violence against women, disaggregated by age, type of violence and relationship between the victim and the perpetrator;**

(b) **To expedite the adoption of a comprehensive national action plan for the elimination of violence against women that covers the prevention of all forms of violence against women, including physical, psychological and economic violence, with an appropriate budget and time frames and that provides for awareness-raising and education programmes;**

(c) **To enact legislation that provides for the immediate protection of women who are victims of violence upon the first report of violence, including through the issuance of restraining orders against alleged perpetrators;**

(d) To ensure that a sufficient number of State-funded shelters are available to women who are victims of domestic violence and their children and that such support services as counselling and rehabilitation are fully accessible to women living in rural and remote areas and to women with disabilities;

(e) To define the scope of measures of redress for women who are victims of violence, including criteria for the application of judicial measures of restitution, compensation, symbolic benefits, rehabilitation, satisfaction and guarantees of non-repetition;

(f) To establish a system to systematically monitor cases of violence against women, including lesbian, bisexual and transgender women, and ensure that perpetrators are prosecuted and punished, and conduct training for judges, prosecutors, police officers and other law enforcement officers on equality of women on all grounds mentioned in the Committee's general recommendation No. 28.

Trafficking and exploitation of prostitution

22. While the Committee notes that the Comprehensive Organic Criminal Code punishes trafficking and sexual exploitation, it notes with concern:

(a) That the State party is a country of origin, transit and destination for trafficking in human beings, in particular women and girls, for purposes of sexual exploitation and forced labour, and that trafficking and sexual exploitation of adolescent girls are particularly prevalent in border areas, especially in the provinces of Sucumbíos, Carchi and Esmeraldas;

(b) The lack of a system to collect data disaggregated by sex and age on victims of trafficking in the framework of the National Plan to Combat Trafficking in Persons;

(c) The insufficient number of State-funded shelters for women and girls who are victims of trafficking and the lack of specialized services for the reintegration of victims, including through job training, education, counselling and rehabilitation;

(d) The lengthy period required for the implementation of the new provisions in the Comprehensive Organic Criminal Code for prosecuting and convicting traffickers;

(e) The absence of disaggregated information on women in prostitution and on exit programmes for women who wish to leave prostitution.

23. **The Committee recommends that the State party:**

(a) Increase its efforts to implement the National Plan to Combat Trafficking in Persons and the National Agenda on Equality for Human Mobility and carry out systematic monitoring and periodic evaluations of such implementation, including by collecting and analysing data on both internal and cross-border trafficking and the exploitation of women in prostitution;

(b) Adopt a referral and identification mechanism for victims of trafficking and enhance the allocation of funding for shelters and the provision of counselling, rehabilitation services and psychosocial assistance for victims;

(c) Set up programmes aimed at providing opportunities for the integration into society of victims of trafficking and consider granting them temporary residence permits to prevent revictimization;

(d) Build the capacity of the judicial authorities and the police to conduct investigations into trafficking in a gender-sensitive manner, sanction perpetrators in accordance with the Comprehensive Organic Criminal Code, and strengthen bilateral cooperation with States of origin of victims of trafficking in order to identify and punish perpetrators;

(e) Adopt measures, such as information systems and networks that facilitate reporting to the police, to protect women in prostitution from exploitation, and develop programmes to promote the reintegration of women and girls who wish to leave prostitution, including by providing alternative income-generating opportunities.

Participation in public and political life

24. The Committee commends the State party for adopting gender parity and alternating women and men candidates on multiperson electoral lists. It observes with concern, however, that the representation of women in single-person positions and on local political bodies remains limited, in particular as regards indigenous and Afro-Ecuadorian women.

25. **The Committee recommends that the State party:**

(a) Adopt measures to increase the participation of women in single-person positions and on political bodies, in particular at the local level;

(b) Implement temporary special measures to increase the participation of indigenous and Afro-Ecuadorian women in public life, including by establishing statutory quotas and providing specific training on how to conduct public affairs.

Education

26. The Committee is alarmed by reports of sexual violence and harassment of girls in schools in the State party, contributing to a high rate of teenage pregnancy and dropout from school. It is also concerned that, the ministerial agreement to prosecute cases of sexual violence and the National Plan to Eradicate Sexual Violence in the Education System notwithstanding, the number of prosecutions and convictions of perpetrators of such violence remains low. Considering the specific situation of dependency of schoolgirls, the Committee is deeply concerned at the passive reaction towards such violence on the part of law enforcement authorities and the public at large, which leads to perpetrators enjoying de facto impunity and further increases the risk of girls and women becoming victims of sexual violence.

27. **The Committee urges the State party:**

(a) To design and implement a nationwide campaign to eliminate sexual violence against girls in the education system without delay and ensure that girls and women have access to effective remedies to complain about sexual violence as well as to information about their sexual and reproductive rights;

(b) **To establish multidisciplinary working groups in schools to prevent and address cases of sexual violence and sexual harassment, closely monitor the situation and receive and act on reports of sexual and other forms of violence against pupils, in particular girls;**

(c) **To ensure that victims of harassment and sexual violence in the education system have access to medical examinations, psychological and social assistance, the option to change school within the education system and counselling, including for parents;**

(d) **To provide mandatory training for and issue instructions to judges, prosecutors, police officers and teachers on the prompt and effective investigation, prosecution and conviction of perpetrators of sexual violence in schools;**

(e) **To expedite judicial proceedings that have already been initiated against alleged perpetrators of sexual violence in schools and expedite ex officio investigations as agreed by the Ministry of Education and the Office of the Attorney General, and adopt mechanisms for granting reparations, including economic compensation for victims and their families.**

28. The Committee notes that the enrolment of girls in education has increased in the State party, in particular at the primary level. It is concerned, however, about:

(a) Limited access to education for indigenous and Afro-Ecuadorian women and the poor quality of education at all levels in rural areas, which limits rural women's access to higher education;

(b) Limited opportunities for indigenous women and girls to gain access to their own educational institutions, as well as the regular education system, owing to long distances between schools and indigenous communities and public speeches downplaying the importance and relevance of education for indigenous communities.

29. **The Committee calls upon the State party:**

(a) **To strengthen the quality of education in rural areas, provide free school transport for women and girls in rural and remote areas and promote access by rural women to education by facilitating their enrolment in secondary schools and tertiary educational institutions;**

(b) **To ensure adequate opportunities for indigenous women and girls to receive instruction in their own languages in indigenous educational institutions by providing sufficient allocations from the budget and by ensuring that girls who have received their education in an indigenous educational institution have access to non-indigenous institutions at all levels of education.**

Employment

30. The Committee notes with concern that women, especially women belonging to disadvantaged and marginalized groups, are concentrated in the informal sector and that there is a lack of information on the participation of women in decision-making positions in the private sector. While noting the measures taken by the State party to recognize domestic work and provide women domestic workers with access to social security, the Committee is concerned about the lack of information on the

actual situation of the affiliation to the social security schemes of women domestic workers. It also notes with concern that women's working conditions in the public and private sectors, including in mining and oil-related activities, are not sufficiently monitored and that there is no mechanism to monitor and prevent sexual harassment in the workplace. The Committee is further concerned about the lack of measures to promote the equal participation of men in family responsibilities.

31. **The Committee recommends that the State party:**

(a) **Promote access to formal employment for women, including through such temporary special measures as reserved places for women in companies and calls for nominations addressed only to women;**

(b) **In consultation with the private sector, adopt a national action plan to increase the coverage of social security schemes for women working in the informal sector;**

(c) **Implement a mechanism to collect information on the representation of women in the private sector and design strategies to promote leadership by women by training them in management skills, and adopt measures aimed at reconciling work and family responsibilities;**

(d) **Adopt effective measures to eliminate occupational segregation, both horizontal and vertical, by strengthening the development of specialized job-training programmes for various groups of women, in particular young women, and various sectors of the economy;**

(e) **Monitor the working conditions of women domestic workers, including through regular inspections of workplaces, to promote the full participation of those workers in social security schemes;**

(f) **Establish a system to monitor and prevent sexual harassment of women in the workplace and encourage victims to bring complaints;**

(g) **Implement legislation to establish and apply the concept of co-parenting and programmes aimed at reinforcing joint parental responsibilities.**

Health

32. The Committee notes the numerous efforts made by the State party to improve the health situation of its population. It is concerned, however, about:

(a) Women's limited access to therapeutic abortion and their resort to unsafe abortions as a consequence, in addition to breaches of confidentiality by health personnel who report to the police or the judiciary women who need health care after a miscarriage or who seek an abortion;

(b) Parliamentary discussions on the Comprehensive Organic Criminal Code that did not address the issue of decriminalizing abortion, even in cases of pregnancy arising from rape or incest or where there is severe foetal impairment;

(c) The high rate of teenage pregnancy, which can lead to an increase in maternal mortality;

(d) Women's limited access to modern contraceptives and family planning services, bias against such methods within the health system and among service

providers and recourse to conscientious objection by health personnel, which prevents women from gaining access to modern methods of contraception;

(e) Barriers faced by indigenous, Afro-Ecuadorian and Montubio women in gaining access to health services that meet their needs and respect their health approaches, including the practice of "vertical births" followed by indigenous women.

33. **The Committee recommends that the State party:**

(a) **Implement, as a matter of priority, the clinical practice guidelines for therapeutic abortion, train all health actors concerned so that the conditions for therapeutic abortion are interpreted uniformly throughout the country and periodically assess the results of the implementation of the guidelines;**

(b) **Ensure respect for the obligation of confidentiality in the health-care system, adopt protocols and develop human rights training for health providers on their obligation to respect the privacy and confidentiality of women who use sexual and reproductive health services;**

(c) **Decriminalize abortion in cases of rape, incest and severe foetal impairment, in line with the Committee's general recommendation No. 24 on women and health;**

(d) **Ensure that all women and girls have affordable access to modern contraceptive methods and provide age-appropriate information and education on sexual and reproductive health and rights to girls and boys, in order to reduce the number of teenage pregnancies;**

(e) **Ensure that the draft comprehensive health code is based on a broad concept of health, including the physical, mental and social determinants of health, and that it addresses sexual and reproductive health in particular;**

(f) **Adopt the bill on intercultural practice for assisted births under the National Health System with the aim of recognizing intercultural care during delivery.**

Economic empowerment of women

34. The Committee welcomes the information about the use of vouchers known as Human Development Bond Cash Transfers to combat poverty in the State party. It is concerned, however, that women have unequal access to microcredits (26 per cent of loans are granted to women and 74 per cent to men) and to loans under the Development Fund (18 per cent of loans granted to women and 82 per cent to men).

35. **The Committee recommends that the State party adopt temporary special measures to increase the number of women who are beneficiaries of microcredits and loans granted under the Development Fund.**

Rural women

36. The Committee takes note of the information provided during the dialogue about the bill on the protection of land tenure for women, including women heads of household. It is concerned, however, about difficulties faced by rural women in obtaining formal recognition of land titles.

37. **The Committee recommends that the State party speed up the implementation of the "SigTierras" programme in order to register the land tenure and property of rural women and adopt a national programme aimed at regularizing land tenure that allows for effective participation by rural women's organizations in such processes.**

Indigenous, Afro-Ecuadorian and Montubio women

38. The Committee notes with concern the absence of information on measures taken by the State party to ensure the protection of indigenous, Afro-Ecuadorian and Montubio women in the context of large-scale projects for the exploitation of natural resources. In particular, it is concerned that women belonging to such groups are often not involved and that their free, prior and informed consent is not always sought in relevant decision-making processes, the impact of such projects on their living conditions notwithstanding.

39. **The Committee calls upon the State party to systematically consult indigenous, Afro-Ecuadorian and Montubio women and seek their free, prior and informed consent in decision-making processes relating to large-scale projects for the exploitation of natural resources that have an impact on their rights and legitimate interests. The State party should also provide adequate alternative housing and livelihoods to the women concerned and ensure that public and private companies that execute projects for the exploitation of natural resources compensate adequately women living in territories and areas affected by such projects.**

Migrant and refugee women

40. The Committee is concerned about the absence of measures to preserve the procedural rights of women in the context of refugee status determination procedures, including access to individual interviews and female interviewers and interpreters. It is also concerned about the compulsory and very narrow time frame established by Executive Decree No. 1182 for applying for refugee status and its consequences for women, in particular the lack of access to basic social services and health care for those in an irregular situation and the risk of sexual exploitation and trafficking.

41. **The Committee recommends that the State party adopt protocols to conduct the refugee status determination process in a gender-sensitive manner and with full respect for the procedural rights of women, in particular by providing them with the possibility of having individual interviews and female interviewers and interpreters as well as by establishing mechanisms to protect them from reprisals by their families and communities. It also recommends that legislation on the scope of migration adequately address the risk of women who are victims of persecution in their countries of origin, and ensure that women in an irregular situation have access to basic social services and emergency medical care and are protected from sexual and labour exploitation.**

Equality in marriage and family relations

42. The Committee is deeply concerned about:

(a) Provisions of the Civil Code that allow for early marriage of girls at 12 years of age, and the delays in amending such legislation;

(b) The provision in the Civil Code that designates the husband as the administrator of marital property (art. 180);

(c) The fact that, while the Civil Code provides that property obtained during the marriage is considered joint property, to be divided equally upon divorce, intangible assets such as work-related benefits are not included as part of the "conjugal society";

(d) The absence of measures within social security schemes to ensure child support payments in cases in which former spouses fail to pay.

43. **The Committee calls upon the State party:**

(a) **To accelerate the repeal of the provisions in the Civil Code relating to child marriage and ensure that any new provisions comply with article 16 (2) of the Convention;**

(b) **To expedite the amendment of the Civil Code with a view to repealing the provision that designates the husband as the administrator of the marital property;**

(c) **To take appropriate legal measures to include intangible property (i.e. pension funds, severance payments and insurance) accumulated during the relationship in the joint property to be equally divided upon dissolution of the relationship;**

(d) **To conduct research on the economic consequences of divorce on both spouses, taking into account the length of the marriage and the number of children, and adopt such legal measures as may be necessary to redress possible economic disparities between men and women upon the dissolution of relationships, in line with the Committee's general recommendation No. 29 on article 16 of the Convention (economic consequences of marriage, family relations and their dissolution);**

(e) **To consider adopting measures to provide child support payments in cases in which former spouses fail to pay.**

Beijing Declaration and Platform for Action

44. **The Committee calls upon the State party to use the Beijing Declaration and Platform for Action in its efforts to implement the provisions of the Convention.**

Millennium Development Goals and the post-2015 development framework

45. **The Committee calls for the integration of a gender perspective, in accordance with the provisions of the Convention, into all efforts aimed at the achievement of the Millennium Development Goals and into the post-2015 development framework.**

Dissemination

46. **The Committee recalls the obligation of the State party to systematically and continuously implement the provisions of the Convention. It urges the State party to give priority attention to the implementation of the present concluding observations and recommendations between now and the submission of the next periodic report. The Committee therefore requests that the present concluding observations be disseminated in a timely manner, in the official language of the State party, to the relevant State institutions at all levels (national, regional and local), in particular to the Government, the ministries, the National Assembly and the judiciary, to enable their full implementation. It encourages the State party to collaborate with all stakeholders concerned, including employers' associations, trade unions, human rights and women's organizations, universities, research institutions and the media. It recommends that the present concluding observations be disseminated in an appropriate form at the local community level to enable their implementation. In addition, the Committee requests the State party to continue to disseminate the Convention, the Optional Protocol thereto and relevant jurisprudence, in addition to the Committee's general recommendations, to all stakeholders.**

Technical assistance

47. **The Committee recommends that the State party link the implementation of the Convention to its development efforts and that it avail itself of regional or international technical assistance in this respect, including through the Office of the United Nations High Commissioner for Human Rights.**

Follow-up to the concluding observations

48. **The Committee requests the State party to provide, within two years, written information on the steps taken to implement the recommendations contained in paragraphs 21 (a), (b) and (d) and 33 (c) above.**

Preparation of the next report

49. **The Committee invites the State party to submit its ninth periodic report in March 2019.**

50. **The Committee requests the State party to follow the harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents (HRI/GEN/2/Rev.6, chap. I).**